

REMARKS

At the outset, Applicants thank the Examiner for the thorough review and consideration of the pending application. Applicants have received and carefully reviewed the contents of the Office Action dated May 08, 2007. Applicants note that the Examiner has not considered the IDS filed on April 30, 2007.

Claims 31-51 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The Office rejects claims 31-51 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,684,081 to Sarkkinen *et al.* (hereinafter "*Sarkkinen*"). Applicants respectfully traverse the rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *See* MPEP § 2131. Applicants submit that *Sarkkinen* fails to describe, at least, "A method of providing a point-to-multipoint service in a radio communication system," comprising, "generating an identifier for indicating point-to-multipoint service," as recited in independent claim 31. *Sarkkinen* also fails to describe, at least, "A method of receiving point-to-multipoint service in a radio communications system" comprising at least, "receiving a data unit including an identifier which indicates the point-to-multipoint service," as recited in independent claim 41.

Sarkkinen relates to a "a system and method of transmitting control information and user data, relating to multicast or broadcast services." *Sarkkinen* at Abstract. *Sarkkinen* describes TCTF header field 322 MAC, RLC and MBMC layers, such that the TCTF header field identifies the multicast or broadcast type of logical channel. *See id.* at col. 11, lines 50-54. The Office asserts that *Sarkkinen*'s TCTF header reads on Applicants' claimed "identifier." Office Action at pages 2 -3. Applicants disagree. *Sarkkinen*'s TCTF header is used to identify the type of logical channel in which the data is being transmitted. For example, the TCTF header is used to indicate if the logical channel is a Forward Access Channel (FACH) or Random Access Channel (RACH) or Broadcast Control Channel (BCCH), etc. In contrast, the identifier of the claimed invention indicates whether a data unit in is a point-to-multipoint service regardless of

the type of logical channel being implemented. Therefore, *Sarkkinen* cannot and does not describe, at least "generating an identifier for indicating point-to-multipoint service," as recited in independent claim 31 and "receiving a data unit including an identifier which indicates the point-to-multipoint service," as recited in independent claim 41. Consequently, Applicants assert that independent claims 31 and 41 are not anticipated by *Sarkkinen*. Claims 32-40 depend from independent claim 31 and claims 42-51 depend from independent claim 41. It stands to reason that if independent claims 31 and 41 are allowable over *Sarkkinen*, then dependant claims 32-40 and 42- 51 are likewise allowable for at least the same reasons. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 102(e) rejection of claim 31-51.

Applicants believe the application is in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: July 23, 2007

Respectfully submitted,

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